

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS
CENTRAL DIVISION

IN RE:

Joseph M. Trocha

CHAPTER 13

CASE NO. 09-44464-JBR

OBJECTION TO DEBTOR'S CHAPTER 13 PLAN

Now Comes GMAC Mortgage, LLC and files its objection to the Debtor's Chapter 13 Plan. In support of its objection, GMAC Mortgage, LLC states as follows:

1. GMAC Mortgage, LLC is the holder of the first mortgage on the debtor's property located 796 Merrimack Street, Lowell, MA.
2. The mortgage to GMAC Mortgage, LLC is in default with a pre-petition arrearage of \$32,602.42.
3. The debtor's Chapter 13 Plan does not list pre-petition arrears to GMAC Mortgage, LLC.
4. Thus, the debtor's plan fails to provide for the payment of GMAC Mortgage, LLC's entire pre-petition arrearage.

WHEREFORE, GMAC Mortgage, LLC respectfully requests that the Court deny confirmation of the debtor's Chapter 13 Plan or for such other relief as the Court deems just and proper.

Respectfully submitted,

/s/ Jason J. Giguere

Jason J. Giguere, Esquire

BBO# 667662

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Dated: December 28, 2009

JJG//200904-0461/Trocha, Joseph

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CERTIFICATE OF SERVICE

I, Jason J. Giguere, Esquire, state that on December 28, 2009, I electronically filed the foregoing Objection to Plan with the United States Bankruptcy Court for the District of Massachusetts using the CM/ECF System. I served the foregoing document on the following CM/ECF participants:

Office of US Trustee

Denise M. Pappalardo, Esquire, Chapter 13 Trustee

John M. McAuliffe, Esquire for the Debtor

I certify that I have mailed by first class mail, postage prepaid the documents electronically filed with the Court on the following non CM/ECF participants:

/s/ Jason J. Giguere

Jason J. Giguere, Esquire

BBO# 667662

Joseph M. Trocha

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Chelmsford, MA 01824

DMK//200904-0461/Trocha, Joseph